



THE CITY OF NEW YORK
LAW DEPARTMENT
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MEMO ENDORSED

May 23, 2023

Via ECF

The Honorable Colleen McMahon
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

OK, Conference adjourned to
6/15/23 at 10:00 AM

Colleen McMahon
5/24/2023

Re: K.C., et al. v. N.Y.C. Dep't of Educ., et al.
No. 23 CV 1059 (CM)

Dear Judge McMahon:

I am an Assistant Corporation Counsel at the Office of the Corporation Counsel of the City of New York, the Honorable Sylvia O. Hinds-Radix, attorney for the Defendants in the above-referenced action. I write this letter jointly with Plaintiffs' counsel to respectfully request an adjournment of 45 days of the initial pretrial conference¹ and to permit the parties to submit a joint status letter on or before June 26, 2023, regarding this action under the Individuals with Disabilities Education Act and similar civil rights statutes.

This adjournment is requested as the parties have been engaged in settlement discussions that they believe are likely to be fruitful. To that end, the parties believe that their (and the Court's) resources would be better spent in efforts to reach an amicable resolution of this action rather than in entering discovery in this action. The parties therefore respectfully propose adjourning the initial pretrial conference with a joint status letter in approximately thirty days, on June 26, 2023, in which they can update the Court on the status of their settlement negotiations. If

¹ The parties respectfully request that their related deadline to file a case management plan likewise be extended.

the parties have made progress in settlement, the parties anticipate requesting an additional extension of the initial pretrial conference.

This is the parties' second request for an adjournment of the initial pretrial conference, the first having been granted on May 10, 2023. (ECF No. 14.) As noted above, this request is made jointly by the parties.

The parties thank the Court for its consideration of this matter.

Respectfully yours,

/s/ David S. Thayer

David S. Thayer

cc: *Via ECF*
All counsel of record